

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

THOMAS J. RITTER and SHERRI RITTER,

Plaintiffs,

v.

Case Number: 08-13622

NATIONWIDE ENVELOPE SPECIALISTS,
INC., a Michigan profit corporation, ALEX
SOVA, Individually and as Trustee, NES
Employee 401(k) Plan,

HON. MARIANNE O. BATTANI

Defendants/Counterplaintiffs,

v.

THOMAS J. RITTER and SHERRI RITTER,

Plaintiffs/Counterdefendants,

and

NATIONWIDE ENVELOPE SPECIALISTS,
INC., a Michigan profit corporation,

Defendant/Third-Party Plaintiff,

v.

TLV ENTERPRISES, INC., a Michigan
corporation,

Third-Party Defendant.

**ORDER (1) DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION;
(2) DENYING IN PART AND GRANTING IN PART DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT; AND (3) DENYING PLAINTIFFS' MOTION TO STRIKE**

This matter is before the Court on Plaintiff Sherri Ritter's Motion for Reconsideration (doc. 38), Defendant/Counterplaintiff Nationwide Envelope Specialists, Inc.'s ("NES") Motion for Summary Judgment (doc. 40), and Plaintiffs' Motion to Strike (doc. 44).

For the reasons stated on the record at a hearing held on June 16, 2010, both Plaintiff's Motion for Reconsideration and Plaintiffs' Motion to Strike are **DENIED**.

In addition, for the reasons more fully stated on the record at the June 16, 2010 hearing, Defendant's Motion for Summary Judgment is **DENIED IN PART AND GRANTED IN PART**. The Motion is denied as it relates to all of NES's counterclaims and Count 2 of Plaintiffs' complaint. The Motion also is denied as it relates to the claim that Thomas Ritter was not paid \$5,236 in commissions, which is contained in Count 3 of Plaintiffs' complaint. The Motion is granted, however, as it relates both to the remaining claims in Count 3 and to the remaining Counts in Plaintiffs' complaint (Counts 1, 4-5, and 7-10).¹

IT IS SO ORDERED.

s/Marianne O. Battani
MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE

Dated: June 22, 2010

CERTIFICATE OF SERVICE

Copies of this Order were served upon counsel of record on this date by ordinary mail and electronic filing.

s/Bernadette M. Thebolt
Case Manager

¹ Plaintiffs' complaint did not include a Count 6.